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BURNS DOANE SWECKER & MATHIS LLP
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Date: May 26, 2004

TO: USPTO, ATTN: Petitions Branch

Fax Number: 703-872-9306

Company:

Telephone:

Your Reference: Appln. No. 09/543,771

FROM: Christopher L. North

Telephone: 703.838.6511

Our Reference: 032796-014

Sent By: Janice Fulmer

Number of Pages 15
Including Cover:

Message

A Petition pursuant to 37 C.F.R. § 3.81(b) is attached.

Please charge the fee set forth in 37 C.F.R. § 1.17(i) of \$130 to Deposit Account Number 02-4800.

Ch North
Reg No. 50,433

Patent
Attorney's Docket No. 032796-014

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

John P. Carulli et al.

Application No.: 09/543,771

Filed: April 5, 2000

For: HIGH BONE MASS GENE OF
11Q13.3

) Mail Stop: Petitions

) Group Art Unit: 1636

) Examiner: Sumesh Kaushal

) Confirmation No.: 6685

) VIA FACSIMILE: 703-872-9306

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PETITION
TO ADD ASSIGNEE AFTER PAYMENT OF ISSUE FEE
UNDER 37 C.F.R. § 3.81(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An error has been discovered on the Form PTOL-85, Part B, which was submitted in the above-captioned application with payment of the issue fee on April 27, 2004. The name and residence of one assignee was inadvertently omitted from Box 3 of that form. The name and residence of the omitted assignee are: Creighton University School of Medicine, Omaha, Nebraska

Documents assigning ownership of the application to Genome Therapeutics Corporation, Waltham, Massachusetts, and Creighton University School of Medicine, Omaha, Nebraska, have been recorded at Reel 010878, Frame 0001 (nine pages) on August 14, 2000. Copies of the Notice of Recordation, the Recordation Cover Sheet, and the Assignment Documents are attached hereto.

Attorney's Docket No. 032796-014Application No. 09/543,771

Page 2

A copy of the original form PTOL-85B submitted on April 27, 2004, with the omitted information added, is attached. It is respectfully requested that the assignee name and residence data printed on the face of the patent include both assignees and that the patent issue in the names of both assignees as follows:

Genome Therapeutics Corporation, Waltham, Massachusetts

Creighton University School of Medicine, Omaha, Nebraska

The Commissioner is hereby authorized to charge the fee set forth in 37 C.F.R. § 1.17(i) and any other fee required by this paper, or to credit overpayment, to Deposit Account Number 02-4800.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: May 26, 2004By: Chr NorthChristopher North
Registration No. 50,433

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

I hereby certify that this correspondence is being sent
by Facsimile Transmission to the Assistant
Commissioner For Patents, P.O. Box 1450,
Alexandria, VA 22313-1450 on:

Date: May 26, 2004
Name: Christopher North
(Typed or printed name of person signing the
certificate)

Sign: Chr North
(Signature of person signing the certificate)

Date: May 26, 2004
(Date of Signature)